

FILED

DISTRICT COURT OF GUAM

JUL 10 2006

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

HANSON PERMANENTE CEMENT OF
GUAM, INC.,

Plaintiff,

vs.

PORT AUTHORITY OF GUAM,

Defendant.

CIVIL CASE NO. 01-00005

RECEIPT OF EXHIBITS

☒ Plaintiff's

☐ Defendant's

☐ Joint

I hereby acknowledge receipt of the following exhibit(s) in the above-
entitled case, which are listed herein.

EXHIBIT NO.

DESCRIPTION

See attached Plaintiff Hanson Permanente Cement of Guam
Inc.'s Amended Exhibit List; Declaration of Service

Signature

Name

Date

Office/Firm Receiving Exhibits

ORIGINAL

COPY

CARLSMITH BALL LLP

DAVID LEDGER

ELYZE MCDONALD

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Tel No. 671.472.6813

Attorneys for Plaintiff

Hanson Permanente Cement of Guam, Inc.

FILED
DISTRICT COURT OF GUAM

APR 28 2005

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

HANSON PERMANENTE CEMENT OF
GUAM, INC.,

Plaintiff,

vs.

PORT AUTHORITY OF GUAM,

Defendant.

CIVIL CASE NO. CIV01-00005

**PLAINTIFF HANSON PERMANENTE
CEMENT OF GUAM, INC.'S
AMENDED EXHIBIT LIST;
DECLARATION OF SERVICE**

Plaintiff Hanson Permanente Cement of Guam, Inc. ("Hanson"), hereby submits the following amended list of exhibits which may be used at trial.

<u>Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
1.	Lease agreement between the Government of Guam and the Guam Economic Development Authority, recorded at the Guam Department of Land Management September 3, 1969.		
2.	The Sublease Agreement between Guam Economic Development Authority and Kaiser Cement & Gypsum Corporation dated January 14, 1971, recorded at Guam Department of Land Management January 21, 1971.	5-2-05	5-2-05

2A. ESCO International Drawing No. 3048-3
Certified Copies (2 pages)

5-2-05

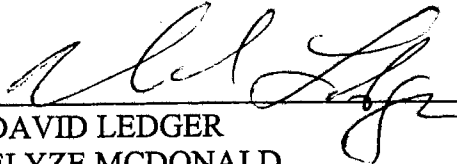
5-2-05

<u>Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
3.	Amendment of Sublease Agreement, recorded with Guam Department of Land Management on January 7, 1994.		
4.	Hanson's ten (10) year lease renewal offer, dated February 27, 2001.		
5.	Port's counter-offer, dated March 6, 2001.	5-2-05	5-2-05
6.	Hanson's acceptance of counter-offer, dated March 12, 2001.	5-2-05	5-2-05
7.	Copies of Hanson's checks for payment of lease rent for the years 2001 through 2005.		
8.	Port Authority of Guam Tariff.	5-2-05	5-2-05
9.	Hanson's "Depreciation Journal" showing cost of site improvements and depreciation.		
10.	Hanson's summary of site improvement and construction costs.	5-2-05	
11.	Hanson's internal correspondence dated June 29, 2000, regarding the Port's position on dockage, as it is related or "linked" to the cost of maintenance of Hanson's facilities.	5-2-05	5-2-05
12.	Hanson's correspondence to the Port dated November 14, 2002, regarding Hanson's use of a "breasting barge" in lieu of the Port having to dredge the ship berth to sufficient depth, and related issues.		
13.	Map of the Commercial Port.	5-2-05	
14.	Photographs of Hanson's facilities.	5-2-05	5-2-05
15.	An example of the Port's invoices to Hanson for dockage.	5-2-05	5-2-05
16.	An example of Hanson's "dispute letter" to the Port to contest dockage billings, dated March 8, 2005.	5-2-05	5-2-05

<u>Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
17.	Port's Responses to Hanson's First Set of Interrogatories, dated September 5, 2001.		
18.	Salvage contract for Hanson's breasting barge, and proof of payment, for salvage work after a typhoon sunk the barge.	5-2-05	5-2-05

DATED: Hagåtña, Guam, April 28, 2005.

CARLSMITH BALL LLP


 DAVID LEDGER
 ELYZE MCDONALD
 Attorneys for Plaintiff
 Hanson Permanente Cement of Guam, Inc.


		Identified	Admitted
19.	(Copy) Colored Photo - looking into the Ocean + shows rip rap (as defined by witness)	5-2-05	5-2-05
20.	Photo (Copy) depicting Hanson pier edge w/ line extended; shows rip rap	5-2-05	5-2-05

DECLARATION OF SERVICE

I, David Ledger, hereby declare under penalty of perjury that on April 28, 2005, I will cause to be served, via hand delivery, a true and correct copy of PLAINTIFF HANSON PERMANENTE CEMENT OF GUAM, INC.'S AMENDED EXHIBIT LIST; DECLARATION OF SERVICE on the following counsel of record:

Stephen A. Cohen, Esq.
Office of the Guam Attorney General
247 West O'Brien Drive
Hagåtña, Guam 96910

Executed this 28th day of April 2005 at Hagåtña, Guam.



DAVID LEDGER